

REMARKS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-45 are presently active in this case. The present Amendment amends Claim 1 without introducing any new matter.

The outstanding Office Action rejected Claim 1 under 25 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. Claims 1-45 were rejected under 35 U.S.C. §103(a) as anticipated by Savage, III et al. (U.S. Patent Publication No. 2001/0009014, herein referred as to “Savage”) in view of Morriss (U.S. Patent Publication No. 2002/0174248) and in further view of Jong (U.S. Patent No. 6,173,250).

First, Applicants wish to thank the Examiner Lezak for the courtesy of an interview granted to Applicants’ representative on August 17, 2005, at which time the outstanding issues in this case were discussed. Arguments similar to the ones developed hereinafter were presented and the Examiner indicated that in light of the arguments, she would reconsider the outstanding grounds for rejection upon formal submission of a response.

In response to the rejection of Claim 1 under 35 U.S.C. §112, first paragraph, Applicants traverse the rejection, since the feature “without transmitting the data of the spoken language through the chat server” is believed to be inherently disclosed by the Specification as originally filed.¹ However, in the spirit of moving the prosecution of this Application forward, the feature to recite “without transmitting the data of the spoken language through the chat server” is deleted from Claim 1. In view of amended Claim 1, it is believed that Claim 1 only includes subject matter that was described in the Specification as originally filed and no further rejection on that basis is anticipated. If, however, the

¹ Finds support for example in Applicants’ Specification at page 2, lines 7-14, at page 4, lines 1-5 and at page 5, lines 16-26.

Examiner disagrees, the Examiner is invited to telephone the undersigned who will be happy to work with the Examiner in a joint effort to derive mutually acceptable language.

In response to the rejections of Claims 1-45 under 35 U.S.C. §103(a), Applicants respectfully request reconsideration of these rejections and traverse the rejections. Applicants respectfully submit that the reference Morriss does not qualify as prior art against the present Application. The present Application has a U.S. filing date of January 29, 2001 and is a national stage application filed under 35 U.S.C. §371 of a PCT application, with the international filing date of May 14, 1999. In accordance with 35 U.S.C. §371(c)(2), the U.S. national stage filing is an English translation of the PCT application. Thus, there is no need to submit a certified English translation to establish entitlement to the priority date of May 14, 1999.

Accordingly, Applicants respectfully request withdrawal of the Morriss reference from consideration, since Morriss is not prior art because it has a 35 U.S.C. §102(e) date of May 16, 2001, which is well after May 14, 1999. Therefore, all outstanding prior art rejections which rely on Morriss must be withdrawn.

The present Amendment is submitted in accordance with the provisions of 37 C.F.R. §1.116, which after Final Rejection permits entry of amendments complying with requirements of form set forth in a previous Office Action. As the present Amendment merely deletes "without transmitting the data of the spoken language through the chat server" from Claim 1 and this feature has not been considered during examination,² it is respectfully requested that the present Amendment be entered.

Consequently, in view of the present Amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in

² See the outstanding Office Action at page 2, lines 18-19.

condition for formal Allowance. A Notice of Allowance for Claims 1-45 is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicants' undersigned representative at the below listed telephone number.

Respectfully submitted,

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